

MINUTES  
MALIBU JOINT CITY COUNCIL / PLANNING COMMISSION  
PUBLIC WORKSHOP  
OCTOBER 2, 2002  
HUGHES AUDITORIUM  
6:30 P.M.

**CALL TO ORDER**

Mayor Jennings called the meeting to order at 6:37 p.m.

**ROLL CALL**

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Mayor Jeffrey Jennings, Mayor Pro Tem Ken Kearsley, Councilmembers Sharon Barovsky, Joan House and Andrew Stern, Planning Commission Chair Richard Carrigan, Vice Chair David Fox (arrived at 6:42 p.m.), Commissioners Robert Adler and Deirdre Roney

ALSO PRESENT: Katie Lichtig, City Manager; Christi Hogin, City Attorney; Drew Purvis, Planning Director; Stacey Rice, Senior Planner; and Lisa Pope, City Clerk

**FLAG SALUTE**

Mark Massara led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

MOTION Councilmember House moved and Councilmember Stern seconded a motion to approve the agenda. The motion carried 9-0, Vice Chair Fox absent.

**ITEM 1 CEREMONIAL / PRESENTATIONS**

A. Presentation of City Tile to Ed Lipnick for his service to the City

Mayor Jennings and Councilmember House presented a Malibu tile to Ed Lipnick for his service to the City as a Malibu Planning Commissioner.

Ed Lipnick expressed his appreciation to the Council for awarding him a City tile. He discussed the development process in Malibu and his experience on the Planning Commission.

Planning Commission Chair Carrigan expressed his gratitude to Mr. Lipnick for his service on the Planning Commission.

Mayor Pro Tem Kearsley commended Mr. Lipnick for his dignity in decision-making.

Planning Commission Vice Chair Fox arrived at the meeting at 6:42 p.m.

Councilmember Stern stated Mr. Lipnick “raised the bar” in looking at Planning Commission matters objectively. He thanked Mr. Lipnick for the privilege of serving with him on the Planning Commission.

Planning Commission Vice Chair Fox expressed his fondness and respect for Mr. Lipnick. He discussed the passing of Carl Randall and his son-in-law Mark Osborn.

## **ITEM 2 WRITTEN AND ORAL COMMUNICATIONS FROM THE PUBLIC**

Bruce Darian discussed litigation regarding construction on the Malibu Pier. He congratulated Ed Lipnick for his commendation. He sent his prayers to the Randall Family.

Mayor Jennings announced the Mark Kevin Osborn Memorial Fund established at Bank of America.

A moment of silence was held in memory of Carl Randall and Mark Osborn.

## **ITEM 3 PUBLIC WORKSHOP**

### **A. Public Workshop – Malibu Bay Company Development Agreement – Draft Environmental Impact Report (EIR)**

Mayor Jennings indicated the comment period on the Draft EIR was open until November 12, 2002.

#### **1. Staff Report Presentation**

Planning Director Purvis explained the outline for the meeting and introduced the City’s consultants.

Senior Planner Rice discussed the schedule of meetings and hearings. She explained the timeline for the project. She provided an overview on the history of the project including the development and donation agreement. She explained the Local Coastal Plan and conformance with Land Use Maps and Development Agreement requirements.

David Reznik, Malibu Bay Company, complimented staff on the preparation of the EIR. He provided a history on the Malibu Bay Company development plans. He welcomed the public process and encouraged educated decisions. He provided a brief outline of the proposed development agreement.

Kari Kramer, Malibu Bay Company, provided an overview of the Civic Center area parcels including Winter Canyon, Knoll, Smith, Island, Ioki, Saint John’s, and Chili Cook-off parcels. She discussed the Trancas area properties. She explained the Point

Dume property, which was proposed to be gifted to the City with \$5 million to be used for construction of a senior/teen community center and sports fields.

Ed Niles presented a model of the proposed development on the Chili Cook-off parcel.

Kalani Jensen presented models of the Saint John's parcel and Trancas Commercial Center.

Laura Kaufman, Envicom, explained the California Environmental Quality Act (CEQA) process.

## **2. Public Comment**

Sandra Genis expressed concern regarding the document being distributed by Mail Boxes Etc. She suggested elevations and site plans be included. She requested rendered photographs be provided within the aesthetic analysis.

Jack Evans, President of Malibu Little League and Vice President of Friends of Malibu Urgent Care, discussed the need for sports fields. He discussed the intent of expanding Malibu Urgent Care.

Ozzie Silna asked what affect the LCP had on the EIR. He asked about the identity of how the specific plan issue effected the proposal. He asked if there was a reason why the matter was being processed to be voted on in June 2003. He asked the location of the dedicated open space in Trancas.

Jo Fogg indicated support for the development agreement. She discussed the need for a senior center.

Sarah Dixon discussed her model of a central park in the Civic Center. She suggested rooftops be closely reviewed.

Mark Massara stated his interest in the project was based on the size of commercial development. He stated the EIR referenced the fact that the City does not have an LCP. He suggested the EIR be amended to include the LCP and its impacts. He expressed concern over the cost for a copy of the EIR. He suggested the City inform residents that the EIR was available on the website. He suggested the November 12, 2002 public comment period be extended 3 months.

## **3. City Council/Planning Commission Comments and Questions**

Mayor Pro Tem Kearsley expressed appreciation to City staff for the work done on the EIR and LCP. He discussed the political literacy in the City. He asked about availability of the EIR. Senior Planner Rice explained that the EIR could be reviewed at City Hall or

the Library, purchased at Mail Boxes Etc., or CD's are being provided by the Malibu Bay Company.

Planning Commission Chair Carrigan asked if any portion of the Point Dume property was designated as ESHA in the new LCP. Planning Director Purvis stated the Point Dume donation property and the properties immediately surrounding the property were not designated as ESHA in the LCP. He indicated a stream near the property would have a required setbacks. Planning Commission Chair Carrigan requested staff present the maximum development under the IZO and LCP without relief or donation.

Mayor Jennings requested confirmation that the document available for public purchase was complete. City Manager Lichtig indicated the City Clerk would confirm the document was complete at Mail Boxes Etc. Mayor Jennings discussed the quality of documents in the EIR. City Manager Lichtig indicated staff would ensure the quality of the site plans provided to the public. Mayor Jennings asked if any of the public comments would require the circulation period to be restarted. City Attorney Hogin indicated no. Mayor Jennings stated the details of the EIR would be discussed at the next workshop. He suggested rooftop equipment be hidden so as to not be visible from the hills above. He asked how the comment period was set. Planning Director Purvis explained that CEQA required a 45-day review period and the City had set a 60-day review period for this project. City Attorney Hogin explained that the comment period could be extended by minute order of the Council. Mayor Jennings asked if the timeline could be extended. City Manager Lichtig explained that if the comment period were extended, the response period would be extended respectively. She stated the comment period could not be extended without impacting the date this could be placed on the ballot.

Planning Commission Vice Chair Fox discussed a mailer from the Malibu Bay Company indicating the EIR was offered free of charge on cdrom. Mr. Reznik indicated a cdrom was available upon request.

**ADJOURN** At 8:08 p.m., Councilmember Barovsky moved and Councilmember Stern seconded a motion to adjourn. The motion carried unanimously.

Approved and adopted by the City Council of  
the City of Malibu on January 27, 2003.

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JEFFREY D. JENNINGS, Mayor

ATTEST:

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LISA POPE, City Clerk  
(seal)